

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2015

CORAM:

THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.P. No.35058 of 2013  
and  
M.P.No.1 of 2013

R. Mastan Rao

.. Petitioner

Vs.

1. The District Collector,  
Kancheepuram District.

2. The Tahsildar,  
Thiruporur Taluk,  
Kancheepuram District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to consider the petitioner's representation dated 12.12.2013 consequently direct the 2<sup>nd</sup> respondent to issue patta to the petitioner's property at S.No.1279/6A, Thyoor B Village, Kancheepuram District.

For petitioner Mr. A.S. Dinesh  
for  
M/s. N. Subramani

For respondents Mr.D. Suryanarayanan  
Government Advocate

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ORDER

This writ petition is filed seeking to issue a Writ of Mandamus directing the Respondents to consider the petitioner's representation dated 12.12.2013 and consequently to direct the 2<sup>nd</sup> respondent to issue patta to the petitioner's property at S.No.1279/6A, Thyoor B Village, Kancheepuram District.

2. Heard both sides.

3. According to the petitioner, he was issued with a notice under Section 7 of the Tamil Nadud Land Encroachment Act 1905 in respect of the land in S.No. 1279/6A, measuring an extent of 0.40.5 Are. It is the specific case that the said extent of land is in his enjoyment by means of electricity supply connection and also by means of constructing a building in and around the land.

4. The grievance of the petitioner appears to be that in respect of the land in question, he has been in possession for over 30 years and as such, he prays for issuance of patta in respect of the aforesaid survey number measuring an extent of 1 acre and 10 cents.

5. There is no dispute of the fact that the representation of the Petitioner dated 12.12.2013 is pending. A cursory perusal of the representation of the petitioner dated 12.12.2013, latently and patently, indicates that the said representation was addressed to the Respondents indicates that the request for issuance of patta was made. Till date, no action has been taken on the said representation by the Respondents. Hence, the Petitioner has projected the present writ petition before this Court.

6. In view of the fact that the Petitioner has sought only a limited relief in the writ petition viz., praying for passing of an order by this Court directing the Respondents to consider and dispose of his representation dated 12.12.2013, at this stage, in the Interest of Justice and fair play simpliciter, directs the Respondents to look into the representation of the Petitioner dated 12.12.2013 in a fair, just, equitable and prudent fashion and to dispose of the same by passing a reasoned speaking order, on merits, ascribing qualitative and quantitative reasons (ofcourse after providing adequate opportunity to the petitioner and others concerned by following the Principles of Natural Justice in true letter and spirit) within a period of four weeks from the date of receipt of a copy of this order.

7. With the aforesaid observations and directions, this writ petition stands disposed of. Consequently, M.P. No. 1 of 2013 is closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ra  
To

1. The District Collector,  
Kancheepuram District.

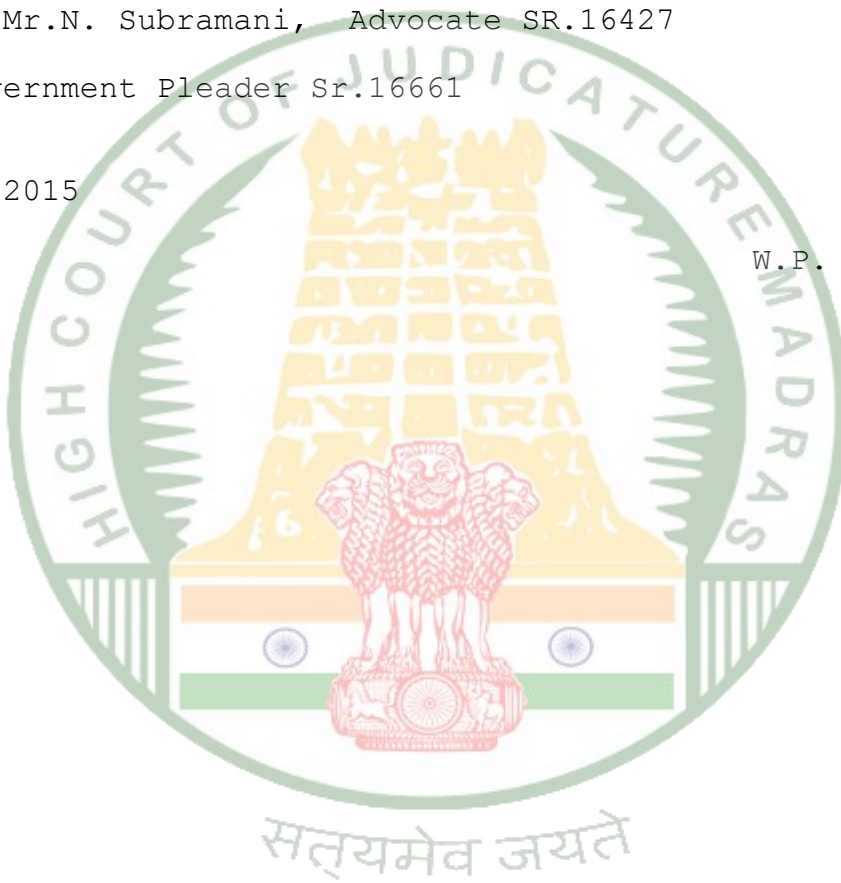
2. The Tahsildar,  
Thiruporur Taluk,  
Kancheepuram District.

+ 1 cc to Mr.N. Subramani, Advocate SR.16427

+ 1 cc Government Pleader Sr.16661

TM(CO)  
EU 08.04.2015

W.P. No.35058 of 2013



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